

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PACIFIC INDEMNITY COMPANY)
15 Mountain View Road)
Warren, NJ 07061-1615)
)
Plaintiff,)Civil Action No.: 04-11975-RWZ
)
v.)
)
ALFRED KEMP, Individually and d/b/a)
KEMP PLUMBING)
P.O. Box 1322)
Pembroke, MA 02359)
)
and)
)
MARTIN SANDBORG, Individually and d/b/a)
SANDBORG PLUMBING AND HEATING)
13 Liberty Street)
Sandwich, MA 02563,)
)
Defendants.)
)

**PARTIES' JOINT MOTION TO EXTEND DISCOVERY AND CONTINUE
PRETRIAL CONFERENCE**

Now come the parties in the above captioned matter and hereby respectfully
request that this Court extend the time for all discovery up to and including February 28,
2006 and continue the pretrial conference currently scheduled for November 9, 2005
accordingly. In support of this motion, the parties state:

1. There are still numerous party and non-party depositions which have been noticed and not yet conducted due to scheduling conflicts.
2. In addition, on September 20, 2005, the parties and their respective experts conducted an investigation of evidence in the plaintiff's possession. At that inspection, it

became evident that further inspection and testing was needed by the parties. The parties are preparing a protocol identifying the materials and testing needed. The parties have also agreed to conduct a second inspection of the evidence in plaintiff's possession as the experts were not able to conclude their inspection on September 20, 2005.

3. Because of the attorneys' scheduling conflicts and witness availability, the parties require additional time to conduct these depositions as well as additional time to conduct expert inspections and testing of evidence.

4. The parties further anticipate that expert depositions may be needed.

5. Finally, this extension of the discovery period and continuation of the pretrial conference will allow the parties time to complete discovery and narrow the issues prior to the pretrial conference.

6. The additional time will also permit the parties to explore the possibility of mediation and settlement.

7. This motion is the first request for a continuance and is made in good faith and in the interest of all parties as indicated by their assent below.

WHEREFORE, the parties respectfully request that this Court extend the time for discovery up to and including February 28, 2006 and continue the pretrial conference which is currently scheduled for November 9, 2005 to a new date after the completion of discovery.

Respectfully submitted,
PACIFIC INDEMNITY COMPANY
Plaintiff,
By its attorneys,

/s/ Daniel Q. Harrington

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ALFRED KEMP, Individually and
d/b/a KEMP PLUMBING
Defendant,
By his attorney,

/s/ John J. Ryan, Jr.

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Marty Sandborg,
Defendant,
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/s/ Stimpson Hubbard

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